

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EDDIE MUÑOZ,
vs.
PUBLIC WORKS, et al.,
Plaintiff,
Defendant.)
Case No. 2:09-cv-00629-JCM-PAL
ORDER
(Mtn for Conference - Dkt. #31)

This matter is before the court on Plaintiff Eddie Munoz's Scheduling Conference Time and Insurance of Scheduling Order Settlement Conference (Dkt. #31). Plaintiff is proceeding *pro se* in this matter, and he is requesting a "conference of the parties to discuss discovery plan, scheduling order, briefing order setting forth a briefing schedule and such matters as the Court deems appropriate."

The docket reveals that this case was remanded from the Ninth Circuit after Plaintiff's appeal of the District Judge's denial of his Motion for Preliminary Injunction. *See Order on Mandate*, Dkt. #27. There was no action in this case, and on April 18, 2011, the Clerk of Court entered an Notice (Dkt. #28), advising the parties that if no action was taken in this case, the Clerk would apply to court to dismiss the action for want of prosecution. Plaintiff then filed a Motion to Extend Time to File Motions (Dkt. #29), which the District Judge granted in an Order (Dkt. #30) entered May 25, 2011, giving Plaintiff until June 24, 2011 to file motions as he requested. Plaintiff then filed a Motion for Enlargement of Time to File the Joint Pre Trial (sic) Order (Dkt. #32) on June 23, 2011 in which he represented the parties were engaged in settlement negotiations. The court granted the motion in an Order (Dkt. #33) entered July 5, 2011, directing the parties to file a proposed joint pretrial order on or before August 19, 2011.

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1 Having reviewed and considered the matter,

2 **IT IS ORDERED** that Plaintiff's Motion for Conference (Dkt. #31) is DENIED AS
3 PREMATURE. If the parties are unable to resolve this matter through informal settlement discussions,
4 they shall file the proposed joint pretrial order in accordance with Judge Mahan's Order (Dkt. #33).
5 Once the proposed joint pretrial order is filed, this matter will be set for trial and referred by the District
6 Judge to the undersigned for a settlement conference in keeping with the usual practice in this District.

7 Dated this 19th day of July, 2011.

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10 PEGGY A. SEEN
11 UNITED STATES MAGISTRATE JUDGE
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